



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 22, 2022

By E-mail

Request to Be Filed Under Seal

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Lawrence Ray*,
S2 20 Cr. 110 (LJL)

Dear Judge Liman:

As discussed at today's sealed conference in the above-referenced case, the Government respectfully writes to provide the Court with certain facts related to the defendant's medical condition. The Government learned these facts from reviewing the defendant's medical records in consultation with his treatment providers.

The defendant arrived at [REDACTED]

[REDACTED]

On March 17, 2022, the Government spoke to [REDACTED] as referred to the Government as a potential expert in the field of [REDACTED]. Upon speaking with [REDACTED], the Government learned [REDACTED] actually consulted with the defendant's treating physicians

_____ conferred with legal counsel at _____ and advised the Government he could not consult as a retained expert because he provided input on the defendant's treatment.

However, _____ reviewed records from the defendant's treatment at _____ and identified aspects of the defendant's presenting symptoms as inconsistent with legitimate medical causation. In other words, Dr. Segal viewed certain of the defendant's symptoms as fake. _____

Moreover, according to _____, the defendant's constellation of symptoms – _____ – are unlikely to occur all together in combination, raising concern for symptom embellishment.

Notes from the Government's conversations with _____ are attached for the Court's review. (Exhibit A). The Government respectfully submits that it may be efficient for the Court to receive information about the defendant's medical condition by holding a hearing at which the defendant's medical treatment providers (including _____) respond to the Court's questions regarding the defendant's condition and medical records, and the way the defendant presented at _____. _____ may also be able to give the Court information about the appropriate medical response to the defendant's symptoms, should the symptoms re-occur.

Finally, the Government notes that independent of the defendant's incident this afternoon, at least one Government witness has observed the defendant feign seizure symptoms mirroring those on display for the Court and the jury today, including face contortions. *See* 3508-075 at 2 (attached as Exhibit B).

In response to the Court's Order regarding a medical expert to assist the Court, the Government has no objection to that proposal. The Government respectfully submits that Dr. Alan Jacobs, M.D., and Dr. Alexander Eliot Merkler, M.D., are well-qualified to assist the Court. Dr. Merkler's *curriculum vitae* is attached as Exhibit C. Upon entry of an order from the Court, the form of which the Government can propose, the Government has funds available to pay for any such assistance.

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The Government respectfully requests this letter and its attachments be filed under seal, as they describe the defendant's confidential medical information.

Respectfully submitted,

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cc: Defense Counsel (by E-mail)